DANIEL G. BOGDEN 1 United States Attorney District of Nevada ALLISON L. HERR Special Assistant United States Attorney 3 333 Las Vegas Boulevard South **Suite 5000** 4 Las Vegas, Nevada 89101 702-388-6336 5 UNITED STATES DISTRICT COURT 6 DISTRICT OF NEVADA -oOo-7 UNITED STATES OF AMERICA, 8 Case No.: 2:14-mj-00447-VCF Plaintiff, 9 STIPULATION TO CONTINUE PRELIMINARY HEARING vs. 10 (Sixth Request) JOHN-BENEDICT GALANG ALCANTARA, 11 Defendants. 12 13 14 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel Bogden, United 15 States Attorney; Allison L. Herr, Special Assistant United States Attorney, counsel for the 16 United States of America and Dayvid Figler, counsel for defendant JOHN-BENEDICT 17 GALANG ALCANTARA., that the preliminary hearing date in the above-captioned matter, 18 currently scheduled for July 20, 2015 at 4:00 pm, be vacated and continued for sixty (60) days 19 to a date and time to be set by this Honorable Court. 20 This Stipulation is entered into for the following reasons: 21 1. The parties are closed to a negotiated plea agreement, which if successful would 22 obviate the need for the preliminary hearing. These negotiations however have been 23 complicated by certain disputes over factual averments which require research and additional 24

time to negotiate language.

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1	2. The parties agree to the continuance.		
2	3. The defendant is not incarcerated and does not object to the continuance.		
3	4.	4. Additionally, denial of this request for continuance could result in a miscarriag	
4	of justice.		
5	5.	5. The additional time requested herein is not sought for purposes of delay, but to	
6	allow for the parties an opportunity to swiftly resolve this matter.		
7	6. The additional time requested by this stipulation, is allowed, with the defendant'		
8	consent under the Federal Rules of Procedure 5.1(d).		
9	7.	This is the <u>Sixth</u> request to continue the preliminary hearing.	
10	DATED this 15th day of July, 2015.		
11	DANIEL G. BOGDEN RENE L. VALLADARES		
12	United States Attorney Federal Public Defender		
13	By: /s/ Allison Herr By: _/s/ Dayvid Figler ALLISON L. HERR DAYVID FIGLER		
14		L. HERR DAYVID FIGLER sistant United States Attorney Assistant Federal Public Defender	
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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,) Case No.: 2:15-mj-00030-GWI
Plaintiff,) FINDINGS OF FACT,
VS.) CONCLUSION OF LAW) AND ORDER
JOHN-BENEDICT GALANG ALCANTARA,)
Defendant.)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court hereby finds that:

- 1. The parties are closed to a negotiated plea agreement, which if successful would obviate the need for the preliminary hearing. These negotiations however have been complicated by certain disputes over factual averments which require research and additional time to negotiate language.
 - 2. The parties agree to the continuance.
 - 3. The defendant is not incarcerated and does not object to the continuance.
- 4. Additionally, denial of this request for continuance could result in a miscarriage of justice.
- 5. The additional time requested herein is not sought for purposes of delay, but to allow for the parties an opportunity to swiftly resolve this matter.
- 6. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

7. This is the <u>Sixth</u> request to continue the preliminary hearing.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to prepare for preliminary hearing.

The continuance sought herein is allowed, with the defendant's consent pursuant to Federal Rules of Procedure 5.1(d).

ORDER

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for July 20, 2015 at the hour of 4:00 pm be vacated and continued to September 21, 2015 at the hour of _4:00 p.m.

DATED this 16th day of July, 2015.

THE HONOR ARI E CAM FERENBAC

THE HONORABLE CAM FERENBACH UNITED STATES MAGISTRATE JUDGE